

## Local Area Waiver Request for the State's Eligible Training Provider List

The Local Workforce Development boards are seeking a waiver of the required collection and reporting of performance data on all students participating in training programs listed on the state's Eligible Training Providers List (ETPL), as outlined in the Workforce Innovation and Opportunity Act (WIOA) Sections 116 and 122, and at 20 CFR 677.230 and 20 CFR 680.400 through 680.530.

Specifically, the LWDB'S's request waiver authority to report a 0 value in the eligible training provider performance report for the nine data elements related to all individuals in training (data elements 120 through 128 on form EA 9171) for programs of study where the data is not currently available.

Under WIOA Section 116(d)(4)(A) and 20 CFR 677.230(a)(5), Eligible Training Providers (ETP) must report performance data with respect to all individuals engaging in a program of study (or the equivalent). While LWDB'S recognizes the value and importance of monitoring provider performance, requiring ETPs to produce data on all students above and beyond WIOA Title 1-funded participants has discouraged training provider participation, which is a critical component of the workforce development system. Reporting becomes especially burdensome when:

1. ETPs have many students of whom only a small percentage are WIOA participants, and;
2. ETPs do not have the existing staff to perform the required data gathering process, and cannot hire the additional staff. Additionally, staff turnover impacts the ability of training providers ability to manage data.
3. Many providers express a concern regarding the protection of personally identifiable information, especially social security numbers, which would have to be collected by the training institutions themselves.
4. Questionable accuracy of student records based on self-reported data from ETPs.
5. LWDB'S's do not currently have the necessary data collection and validation tools to comply with this requirement.

The federal requirements have created a hardship for many training providers resulting in a decreased number of programs applying for inclusion on the ETPL. This has created fewer local training providers, thereby limiting consumer choice.

Under this waiver, ETPs in collaboration with Local Workforce Development Boards, will continue to collect and report performance data for all WIOA Title 1-funded participants in accordance with WIOA section 116(d)(4)(A) and as specified at 20 CFR 677.230.

This request is submitted in accordance with the Secretary's waiver authority outlined in Section 189(i)(3)(B) of WIOA and 20 CFR 679.620 and with OWDI #05-2018 Change 1. This waiver request will assist local areas to further develop the workforce while continuing to focus on innovative strategies for a demand-driven workforce.

## Actions the local area has undertaken to remove federal statutory or regulatory barriers;

There is no state or local statutory or regulatory barrier to implementing the requested waiver. The Oklahoma Office of Workforce Development and local workforce boards would update policy, state and local plans to align with the terms of the waiver. Local workforce boards have exhausted considerable resources in attempting to coordinate and provide data required by this federal regulation.

## State strategic goal(s) and Department of Labor priorities (i.e. expansion of apprenticeships, improved employer engagement, etc.) supported by the waiver;

State strategic goals supported by the waiver include:

- An increase and varied training offerings for individuals utilizing individual training accounts (ITA) via the public workforce system leading to greater consumer choice.
- Increased participation among training providers which may lead to lower cost and more robust demand-driven training options.
- Greater utilization of the ETPL by individuals pursuing training in Oklahoma related to jobs that are in-demand by employers.
- Stronger partnerships between training providers and the public workforce system.
- Clear communication of the labor market value of various trainings and credentials to students, job seekers, and those seeking career advancement.
- Increase the number of Registered Apprenticeship Programs and the number of apprentices.

## Projected programmatic outcomes resulting from implementation of the waiver;

- Increasing the number and diversity and training providers and programs available on the state's ETPL.
- Reduction in the reporting burden of ETPs: Reporting performance data on all individuals engaging in a program of study (or the equivalent) consumes considerable time and expense. Reducing ETPs' reporting requirements to include only WIOA Title 1-funded participants would save considerable time and expense to allow ETPs to focus on education and training outcomes.
- Stronger partnerships between training providers and the public workforce system through increased collaboration.

## The individuals, groups or populations impacted by the waiver;

The reduction of reporting burden on ETPs will have a significant impact on multiple populations of the public workforce system, including, but not limited to:

1. Individuals who access training services in Oklahoma via ITAs,
3. Local Workforce Development Boards,
4. American Job Center staff, and
5. The staff and administrators of Eligible Training Providers.

Description of how the local area intends to oversee effective waiver implementation and any unique protocols that may be used in their waiver requests.

Annual WIOA programmatic reviews will include an evaluation of the impact of the waiver on local programs to ensure programmatic goals and outcomes are being met.

Additionally, LWDB'S involved with the administration of the ETPL and performance reporting will periodically examine the effectiveness of this waiver. This strategy ensures that the goals described above, as well as those outlined in the State's Unified Plan and local plans, are consistent with established objectives of the WIOA and federal and state regulations.